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PTO/SB/05 (08-00) (modified)

Approved for use through 9/30/2001, OMB 0651-0032  
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

|   |  |                               |   |  |
|---|--|-------------------------------|---|--|
| <b>NEW UTILITY<br/>PATENT APPLICATION<br/>TRANSMITTAL</b><br><i>(only for new nonprovisional applications under<br/>37 CFR 1.53(b))</i> |  | <b>Attorney Docket Number</b> | 18856-08278   |  |
|   |  | <b>First Named Inventor</b>   | Alan S. Broad   |  |
|   |  | <b>Title</b>                  | System and Method for Updating a<br>Network of Remote Sensors |  |
|   |  | <b>Express Mail Label No.</b> | EV 334259490 US   |  |

**APPLICATION ELEMENTS**

1. ☒ Fee Transmittal Form (in duplicate)

2. ☒ Applicant claims small entity status.  
See 37 CFR 1.27

3. ☒ Specification Total Pages 15  
*(preferred arrangement set forth below)*

- Descriptive Title of the Invention
- Cross Reference(s) to Related Case(s)
- Statement Regarding Fed sponsored R & D
- Background of the Invention
- Brief Summary of the Invention
- Brief Description of the Drawing(s)
- Detailed Description
- Claim or Claims
- Abstract of the Disclosure

4. ☒ Drawing(s) (35 U.S.C. 113) Total Sheets 4

5. Oath or Declaration

a. ☒ New Declaration Total Pages 3

☐ Executed (original or copy)

b. ☐ Copy from a prior application (37 CFR 1.63(d))  
*(for continuation/divisional with Box 18 completed)*

i. ☐ DELETION OF INVENTOR(S)  
Signed statement attached deleting inventor(s)  
named in the prior application, see 37 CFR  
1.63(d)(2) and 1.33(b).

6. ☐ Application Data Sheet. See 37 CFR 1.76

**ACCOMPANYING APPLICATION PARTS**

7. ☐ Assignment Papers (cover sheet & document(s))

8. ☐ Certified Copy of Priority Document(s) *(if foreign priority  
is claimed)*

9. ☐ Power of Attorney or Authorization of Agent

10. ☐ 37 CFR 3.73(b) Statement

11. ☐ Preliminary Amendment

12. ☐ Information Disclosure Statement & PTO/SB/08A  
☐ Copies of IDS Citation(s)

13. ☒ Nonpublication Request under 35 U.S.C. 122  
(b)(2)(B)(i). Applicant must attach form  
PTO/SB/35 or its equivalent

14. ☒ Return Postcard

15. ☐ \_\_\_\_\_

16. ☐ \_\_\_\_\_

17. ☐ \_\_\_\_\_

**ADDRESS TO:**  
  
Mail Stop Patent Application  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

18. If a **CONTINUING APPLICATION**, check appropriate box and supply the requisite information below and in a preliminary amendment or in an Application Data Sheet under 37 CFR 1.76:

☐ Continuation ☐ Divisional ☒ Continuation-in-part (CIP) of prior application No: 09/676,056

Prior application information: Examiner: Hung Q. Dang Group/Art Unit: 2635

**For CONTINUATION OR DIVISIONAL APPS only:** The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuing or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

**19. CORRESPONDENCE ADDRESS**

☒ Customer Number

00758

|                   |                 |                                   |          |
|-------------------|-----------------|-----------------------------------|----------|
| Name (Print/Type) | Albert C. Smith | Registration No. (Attorney/Agent) | 20,355   |
| Signature         |                 | Date                              | 11/11/03 |

# FEE TRANSMITTAL for FY 2004

Patent fees are subject to annual revision.

☒ Applicant claims small entity status. See 37 CFR 1.27

**TOTAL AMOUNT OF PAYMENT (\$)** 514

Complete if Known

|                      |                   |
|----------------------|-------------------|
| Application Number   | Not Yet Known     |
| Filing Date          | November 11, 2003 |
| First Named Inventor | Alan S. Broad     |
| Examiner Name        | Not Yet Known     |
| Art Unit             | Not Yet Known     |
| Attorney Docket No.  | 18856-08278       |

## METHOD OF PAYMENT (check all that apply)

☒ Check ☐ Credit Card ☐ Money Order ☐ Other ☐ None  
☐ Deposit Account:

Deposit Account Number 19-2555

Deposit Account Name Fenwick & West LLP

The Commissioner is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☒ Credit any overpayments  
☒ Charge all required fee(s) or any underpayment of fee(s) due under 37 CFR §1.16 or §1.17 during the pendency of this application  
☐ Charge fee(s) indicated below, except for the filing fee

to the above-identified deposit account.

## FEE CALCULATION

### 1. BASIC FILING FEE

Large Entity Small Entity

| Fee Code            | Fee (\$) | Fee Code | Fee (\$) | Fee Description        | Fee Paid        |
|---------------------|----------|----------|----------|------------------------|-----------------|
| 1001                | 770      | 2001     | 385      | Utility filing fee     | 385             |
| 1002                | 340      | 2002     | 170      | Design filing fee      |                 |
| 1003                | 530      | 2003     | 265      | Plant filing fee       |                 |
| 1004                | 770      | 2004     | 385      | Reissue filing fee     |                 |
| 1005                | 160      | 2005     | 80       | Provisional filing fee |                 |
| <b>SUBTOTAL (1)</b> |          |          |          |                        | <b>(\$)</b> 385 |

### 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

| Total Claims       | Extra Claims | Fee from below | Fee Paid |
|--------------------|--------------|----------------|----------|
| 12                 | -20**=0      | 9              | 0        |
| Independent Claims | 6            | -3**=3         | 43       |
| Multiple Dependent |              |                |          |

Large Entity Small Entity

| Fee Code | Fee (\$) | Fee Code | Fee (\$) | Fee Description   |
|----------|----------|----------|----------|---|
| 1202     | 18       | 2202     | 9        | Claims in excess of 20                                    |
| 1201     | 86       | 2201     | 43       | Independent claims in excess of 3                         |
| 1203     | 290      | 2203     | 145      | Multiple dependent claim, if not paid                     |
| 1204     | 86       | 2204     | 43       | **Reissue independent claims over original patent         |
| 1205     | 18       | 2205     | 9        | **Reissue claims in excess of 20 and over original patent |

**SUBTOTAL (2)** (\$)

\*\*or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

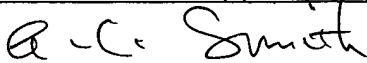
| Large Entity Fee Code | Large Entity Fee (\$) | Small Entity Fee Code | Small Entity Fee (\$) | Fee Description  | Fee Paid |
|-----------------------|-----------------------|-----------------------|-----------------------|--|----------|
| 1051                  | 130                   | 2051                  | 65                    | Surcharge - late filing fee or oath  |          |
| 1052                  | 50                    | 2052                  | 25                    | Surcharge - late provisional filing fee or cover sheet                     |          |
| 1053                  | 130                   | 1053                  | 130                   | Non-English specification  |          |
| 1812                  | 2,520                 | 1812                  | 2,520                 | For filing a request for ex parte reexamination                            |          |
| 1804                  | 920*                  | 1804                  | 920*                  | Requesting publication of SIR prior to Examiner action                     |          |
| 1805                  | 1,840*                | 1805                  | 1,840*                | Requesting publication of SIR after Examiner action                        |          |
| 1251                  | 110                   | 2251                  | 55                    | Extension for reply within first month                                     |          |
| 1252                  | 420                   | 2252                  | 210                   | Extension for reply within second month                                    |          |
| 1253                  | 950                   | 2253                  | 475                   | Extension for reply within third month                                     |          |
| 1254                  | 1,480                 | 2254                  | 740                   | Extension for reply within fourth month                                    |          |
| 1255                  | 2,010                 | 2255                  | 1,005                 | Extension for reply within fifth month                                     |          |
| 1401                  | 330                   | 2401                  | 165                   | Notice of Appeal   |          |
| 1402                  | 330                   | 2402                  | 165                   | Filing a brief in support of an appeal                                     |          |
| 1403                  | 290                   | 2403                  | 145                   | Request for oral hearing   |          |
| 1451                  | 1,510                 | 1451                  | 1,510                 | Petition to institute a public use proceeding                              |          |
| 1452                  | 110                   | 2452                  | 55                    | Petition to revive - unavoidable   |          |
| 1453                  | 1,330                 | 2453                  | 665                   | Petition to revive - unintentional   |          |
| 1501                  | 1,330                 | 2501                  | 665                   | Utility issue fee (or reissue)   |          |
| 1502                  | 480                   | 2502                  | 240                   | Design issue fee   |          |
| 1503                  | 640                   | 2503                  | 320                   | Plant issue fee  |          |
| 1460                  | 130                   | 1460                  | 130                   | Petitions to the Commissioner  |          |
| 1807                  | 50                    | 1807                  | 50                    | Processing fee under 37 CFR 1.17(g)  |          |
| 1806                  | 180                   | 1806                  | 180                   | Submission of Information Disclosure Stmt                                  |          |
| 8021                  | 40                    | 8021                  | 40                    | Recording each patent assignment per property (times number of properties) |          |
| 1809                  | 770                   | 2809                  | 385                   | Filing a submission after final rejection (37 CFR 1.129(a))                |          |
| 1810                  | 770                   | 2810                  | 385                   | For each additional invention to be examined (37 CFR 1.129(b))             |          |
| 1801                  | 770                   | 2801                  | 385                   | Request for Continued Examination (RCE)                                    |          |
| 1802                  | 900                   | 1802                  | 900                   | Request for expedited examination of a design application                  |          |

Other fee (specify)

**SUBTOTAL (3)** (\$)

\*Reduced by Basic Filing Fee Paid

## SUBMITTED BY


|                   |   |                                   |          |                          |
|-------------------|---|-----------------------------------|----------|--------------------------|
| Name (Print/Type) | Albert C. Smith   | Registration No. (Attorney/Agent) | 20,355   | Complete (if applicable) |
| Signature         |  | Date                              | 11/11/03 | Telephone (650) 335-7296 |

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

|   |  |                      |  |
|---|--|----------------------|--|
| <b>NONPUBLICATION REQUEST<br/>UNDER<br/>35 U.S.C. 122(b)(2)(B)(i)</b> |  | First Named Inventor | Alan S. Broad  |
|   |  | Title                | System and Method for Updating a Network of Remote Sensors |
|   |  | Atty Docket Number   | 18856-08278  |

I hereby certify that the invention disclosed in the attached application **has not been and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C. 122(b).

11/11/03  
Date

  
Signature

Albert C. Smith, Reg. No. 20,355  
Typed or printed name/Registration Number

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**

**Burden Hour Statement:** This collection of information is required by 37 CFR 1.213(a). The information is used by the public to request that an application not be published under 35 U.S.C. 122(b) (and the PTO to process that request). Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This form is estimated to take 6 minutes to complete. This time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. **DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**